



CABINET FOR HEALTH SERVICES
COMMONWEALTH OF KENTUCKY
FRANKFORT, 40621-0001



DEPARTMENT FOR MEDICAID SERVICES
"An Equal Opportunity Employer M/F/D"

October 3, 2003

Dear Provider:

The Department for Medicaid Services (DMS) is implementing a contingency plan that will allow providers to continue to send and receive non-compliant HIPAA formats after the October 16, 2003 compliance deadline. This plan ensures continued processing of claims from those providers who are not able to meet the October 16, 2003 compliance deadline. Providers who are HIPAA compliant may begin to send the HIPAA electronic format beginning October 16, 2003.

The Department's goal, with the implementation of this contingency plan, is to permit providers to continue to send claims in the current non-compliant format as well as allow providers additional time to complete the testing process to be HIPAA compliant. The DMS will regularly reassess the readiness of its trading partners to determine how long the contingency plan will remain in effect.

Effective with dates of service October 16, 2003, standardized code sets are required, regardless of whether the format being submitted is the legacy format or the HIPAA compliant format.

The authority to implement a contingency plan was provided by guidance issued by the Department for Health and Human Services (HHS) on July 24. The Centers for Medicare and Medicaid Services (CMS) recognizes that transactions often require the participation of two covered entities and that non-compliance by one covered entity may put the second covered entity in a difficult position. The guidance stated that covered entities that make a good faith effort to comply with HIPAA transactions and code set standards may implement contingencies to maintain operations and cash flow.

Should you have any questions, please contact Unisys' Provider Services at (800) 807-1232 or EDI help desk at (800) 205-4696 between the hours of 7:30 AM to 7:30 PM (ET).

Sincerely,

Mike Robinson
Commissioner

"...promoting and safeguarding the health and wellness of all Kentuckians."

